

(3) Whether the applicant (lessor) or its agent has previously violated the provisions of this part, or the lessee or its agent has previously violated the provisions of part 212 or 218 of this chapter.

(h) The Board will publish notice of its actions on applications for statements of authorization in the Status of Charter Applications attachment to the Weekly List of Applications Filed. Interested persons may upon request obtain copies of letters advising applicants of action taken on their applications.

(Approved by the Office of Management and Budget under control number 3024-0001)

[ER-1249, 46 FR 47767, Sept. 30, 1981, as amended by ER-1340, 48 FR 31013, July 6, 1983]

§ 208.6 Charter flight limitations.

(a) Passenger charter flights in air transportation shall be limited to the following:

(1) Air transportation pursuant to contracts with the Department of Defense where all of that portion of the capacity configured for passengers of an aircraft has been engaged by the Department;

(2) Air transportation performed on a time, mileage, or trip basis where all or part of the capacity of an aircraft has been engaged by any of the following persons:

(i) By a person for his or her own use, including a direct air carrier or a direct foreign air carrier, except that long-term wet leases to foreign air carriers are subject to prior authorization under § 208.5.

(ii) By a person (no part of whose business is the formation of groups or the consolidation of shipments for transportation or the solicitation or sale of transportation services) for the transportation of a group of persons, as agent or representative of such group;

(iii) By an overseas military personnel charter operator as defined in part 372 of this chapter; or

(iv) By a charter operator or foreign charter operator as defined in part 380 of this chapter.

(3) Air transportation performed on a time, mileage, or trip basis by a direct air carrier in accordance with subpart F of this part.

(b)(1) Each person engaging less than the entire capacity of an aircraft for the movement of persons and their personal baggage pursuant to paragraph (a)(2) of this section shall contract and pay for 20 or more seats.

(2) [Reserved]

(3) This section permits the carriage of charter cargo on the main deck or in the belly of a passenger charter flight.

(c) Cargo charter flights in air transportation are permitted without limitation, except that long-term wet leases to foreign air carriers are subject to prior authorization under § 208.5. Charter cargo may be transported both on scheduled flights carrying individually-ticketed and/or individually-waybilled traffic and on flights carrying charter traffic only.

[ER-1190, 45 FR 53363, Aug. 11, 1980, as amended by ER-1249, 46 FR 47768, Sept. 30, 1981; ER-1277, 47 FR 134, Jan. 5, 1982]

LIABILITY INSURANCE REQUIREMENTS; WAIVER OF WARSAW CONVENTION LIABILITY LIMITS

§ 208.10 Applicability of liability insurance requirements.

No charter air carrier shall engage in air transportation unless such carrier has and maintains in effect aircraft accident liability coverage that meets the requirements of part 205 of this chapter.

[ER-1254, 46 FR 52583, Oct. 27, 1981]

§ 208.11 Filing requirements for adherence to Montreal Agreement.

It shall be a condition upon the holding of a certificate or other authority authorizing air transportation that the holder have and maintain in effect and on file with the Board a signed counterpart of CAB Agreement 18900 (CAB Form 263), and comply with all other requirements in part 203 of this chapter. That form can be obtained from the Publications Services Division, Civil Aeronautics Board, Washington, D.C. 20428.

(Approved by the Office of Management and Budget under control number 3024-0064)

[ER-1327, 48 FR 8048, Feb. 25, 1983, as amended by ER-1340, 48 FR 31013, July 6, 1983]